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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,401	09/23/2003	Gerald Altman	5957-72402	9364
35690 7590 05/28/2010 MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C. P.O. BOX 398 AUSTIN, TX 78767-0398				
EXAMINER LOVEL, KIMBERLY M				
ART UNIT 2167		PAPER NUMBER		
NOTIFICATION DATE 05/28/2010		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/667,401

Applicant(s)

ALTMAN, GERALD

Examiner

KIMBERLY LOVEL

Art Unit

2167

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-30, 33, 35 and 36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-30, 33, 35 and 36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-06)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 24-30, 33, 35, 36, 41-45, 48-54, 56-63, 65-72 and 76-79 are currently pending.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 30 March 2010 has been entered.

35 USC § 101 - Clarifications

3. It is noted that the claimed computer readable memory medium is considered to be represented by the disclosed computer (see Remarks, page 9).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 24-30, 33, 35-36, 41-45, 48-54, 56-63, 65-72 and 76-79 are rejected under 35 U.S.C. 103(a) as being unpatentable over US PGPub 2002/0111960 to Irons et al (hereafter Irons) in view of US Patent 5,794,242 to Green et al (hereafter Green) in view of US Patent No 6,092,090 to Payne et al (hereafter Payne).

Referring to claim 24, Irons discloses a method, comprising:

receiving a succession of electronic documents into a computer document management system, wherein each of the succession of electronic documents is received at a corresponding point in time [scanning the documents] (see [0044]); and
for each of at least a subset of the received electronic documents:

the computer system generating a corresponding unique identifier [globally unique identifier] identifying a date [date] that corresponding to the point in time at which the electronic document was received by the computer system (see [0047] and [0048]); and

the computer system storing, a respective plurality of attributes relating to the electronic document in each of a plurality of tables, wherein each of the plurality of tables includes the generated unique time-based identifier as one of its respective plurality of attributes, and wherein at least one of the plurality of tables includes a first attribute containing information indicating a location of a physical document corresponding to the electronic document (see [0047] and [0078]); and

the computer system accessing the plurality of attributes [meta-data] for the electronic document in at least one of the plurality of tables using the

corresponding unique identifier [globally unique identifier] for the electronic document (see [0041] and [0047]).

Irons fails to explicitly disclose the further limitation of the computer system generating a corresponding unique time-based identifier identifying a date and time of day that corresponding to the point in time at which the electronic document was received by the computer system. Green discloses document management (see abstract), including the further limitation of the computer system generating a corresponding unique time-based identifier identifying a date and time of day that corresponding to the point in time at which the electronic document was received by the computer system [timestamp] and the computer system storing, in a electronic storage, a respective plurality of attributes relating to the electronic document in each of a plurality of tables of a relational database accessible to the computer system, wherein each of the plurality of tables includes the generated unique time-based identifier as one of its respective plurality of attributes, and wherein at least one of the plurality of tables includes a first attribute containing information indicating a location of a physical document corresponding to the electronic document (see column 2, lines 38-52).

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the concept of a time-based identifier representing the time a document is scanned into the system and a relational database as disclosed by Green as the global identifier and database of Irons. One would have been motivated to do so since the identifier of Irons can be anything that identifies the document and a relational database is a standard storage system well-known in the art.

The combination of Irons/Green fails to explicitly disclose the further limitation of a storage array. Payne discloses a document management system, including the further limitation of a storage array storing the attributes (see column 4, lines 22-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the array of Payne to store the tables of Irons/Altman. One would have been motivated to do so since arrays allow for a Raid and a Raid provides for redundant storage and fault tolerance.

Referring to claims 41, 48 and 56 and 75, the claims are rejected on the same grounds as claim 24.

Referring to claim 25, the combination of Irons/Green and Payne (hereafter Irons/Altman/Payne) discloses the method of claim 24, wherein, for a given electronic document received by the computer system: a first of the plurality of tables is configured to store a plurality of attributes relating to an entity originating the given electronic document; and a second of the plurality of tables is configured to store a plurality of attributes relating to the location of a physical document corresponding to the given electronic document (Irons: see [0041]).

Referring to claims 43, 52 and 61, the claims are rejected on the same grounds as claim 25.

Referring to claim 26, Irons/Green/Payne discloses the method of claim 25, wherein a date and time of day at which a given electronic documents is received by the computer system corresponds to a date and time of day at which the first electronic

document was created by imaging a physical document (Green: see Fig 7 and column 7, lines 3-17).

Referring to claims 49, 50, 51, 58 and 59, the claim is rejected on the same grounds as claim 26.

Referring to claim 27, Irons/Green/Payne discloses the method of claim 26, further comprising the computer system retrieving a given electronic document in the succession of electronic documents from the storage array using the corresponding unique time-based identifier for the given electronic document; and wherein the time of day is specified by at least an hour value, a minutes value, and a seconds value (Green: see Fig 7 and column 7, lines 3-17).

Referring to claims 60 and 66-68, the claims are rejected on the same grounds as claim 27.

Referring to claim 28, Irons/Green/Payne discloses the method of claim 24, wherein said receiving includes: receiving imaged electronic documents (Irons: see [0044], lines 7-10); and/or receiving computer generated electronic documents (Irons: see [0044], lines 11-13).

Referring to claims 45 and 65, the claim is rejected on the same grounds as claim 28.

Referring to claim 29, Irons/Green/Payne discloses the method of claim 28, wherein the imaged electronic documents include electronic documents that were created by imaging corresponding physical documents (Payne: see column 6, lines 24-39), wherein each corresponding physical document is marked with the corresponding

unique time-based identifier after said imaging (Green: see Fig 7 and column 7, lines 3-17).

Referring to claim 30, Irons/Green/Payne discloses the method of claim 28, wherein the computer generated electronic documents include electronic documents received from one or more of the following sources: word processing programs, graphics programs, e-mail, facsimile transmissions [e-mail] (Irons: see [0044]).

Referring to claim 33, Irons/Green/Payne discloses the method of claim 24, further comprising: accessing a first electronic document stored in the storage system using a first unique time-based identifier, wherein the first unique time-based identifier corresponds to a first date and point in time of day when the first electronic document was received into the document management system (Irons: see [0041]).

Referring to claims 42 and 57, the claims are rejected on the same grounds as claim 33.

Referring to claim 35, Irons/Green/Payne discloses the method of claim 25, wherein: a third of the plurality of tables is configured to store a plurality of attributes relating to a task associated with the given electronic document; and a fourth of the plurality of tables is configured to store a plurality of attributes relating to the physical document that corresponds to the given electronic document, wherein an attribute in the fourth table includes a type of physical document (Irons: see [0047]-[0048]).

Referring to claims 43, 53 and 62, the claims are rejected on the same grounds as claim 35.

Referring to claim 36, Irons/Green/Payne discloses the method of claim 35, wherein a fifth of the plurality of tables is configured to store a unique value for the given document, wherein the unique value is formed by a combination of a value of a first key of the first table and a value of a second key of the second table (Irons: see [0048]).

Referring to claims 44, 54, 63 and 69-71, the claims are rejected on the same grounds as claim 36.

Referring to claim 76, Irons/Green/Payne discloses the method of claim 24, wherein a first of the plurality of tables includes the unique time-based identifier as an attribute, and wherein the first table is accessible using the unique time-based identifier as a primary key of the first table (Green: see column 1, lines 39-45).

Referring to claims 77-79, the claims are rejected on the same grounds as claim 76.

Response to Arguments

6. Applicant's arguments with respect to the Irons reference not being prior art have been fully considered but they are not persuasive. The Irons reference is a CIP of 09/436,130 filed 8 November 1999. Therefore, the Irons reference is still considered to have priority prior to 17 September 2000.

7. Applicant's arguments, with respect to the Altman reference no longer being prior art due to the priority date of the present invention have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made.

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Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KIMBERLY LOVEL whose telephone number is (571)272-2750. The examiner can normally be reached on 9:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kimberly Lovel/
Examiner
Art Unit 2167

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